

Appln No. 10/735,056

Amdt date August 17, 2004

Reply to Office action of June 15, 2004

REMARKS/ARGUMENTS

Claims 1-16 will be pending after this amendment, with claims 1-13 being amended and claims 14-16 being new claims. No new matter is added.

The Examiner objects to the drawings for failure to show certain reference numerals. Applicant herein has amended the specification and the drawings to attend to the Examiner's objections.

Applicant has also amended the specification to attend to deficiencies noted by the Examiner.

Turning to more substantive issues, the Examiner rejects claims 1 and 7 under 35 U.S.C. 102(b) as being anticipated by Strong (U.S. Patent no. 4,763,489). The Examiner states that "Strong discloses a link set for bracelets (Figure 6) comprising: a plurality of interconnectable detachably attached links, with each link bearing a portion of a multipart design that can be modified by changing at least one of the plurality of links to thereby change the appearance of the multipart design (abstract) and (column 1, lines 33-36) and wherein the link set is connectable to other links that do not form part of the link set since Strong indicates that links may be removed and as such would create a set of used and unused links."

Applicant has amended claim 1 to recite "a plurality of interconnectable detachably attachable links, with each link bearing a portion of a multipart design of a person, which multipart design can be modified by exchanging at least one of the plurality of links with another, similar link that bears a

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different design of the exchanged link to thereby change the appearance of the multipart design of a person's body."

Applicant respectfully submits that the Strong module jewelry neither discloses nor teaches "a plurality of interconnectable detachably attachable links, with each link bearing a portion of a multipart design of a person's body", and certainly does not disclose that this "design can be modified by exchanging at least one of the plurality of links with another, similar link that bears a different design of the exchanged link to thereby change the appearance of the multipart design of a person's body." Accordingly, Applicant respectfully submits that the rejection of claims 1 and 7 is traversed.

The Examiner next rejects claims 2-6 and 8-13 under 35 U.S.C. 103(a) as being unpatentable over Strong in view of Przybyla (U.S. Patent no. 1,371,932). The Examiner states that Strong discloses all of the claimed features except for the plurality of interconnectable links specifically comprising a link bearing an image of a person's head, a link bearing an image of a person's torso and link bearing an image of a person's legs, but that the Przybyla reference teaches the various elements forming a body of an animal. The Examiner states that the actual shape formed is strictly a design choice having no limit on the structure of the device and as such is considered obvious. The Examiner states that Strong recognized the rearrangement of the link elements in order to provide a desired appearance and to form the various components as a kit would be obvious since this is well known in the jewelry art.

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Applicant has carefully reviewed the cited references and has considered the Examiner's rationale for rejection. For the following reasons, Applicant respectfully submits that the combination of Strong and Przbyla would not render the claimed subject matter obvious. Strong discloses module jewelry comprising a plurality of structures that can be alike and disalike, that can be arranged in various configurations as earrings, a pendant, a bracelet, necklace, a belt and the like. (See Abstract) While Przbyla is cited as teaching the various elements forming a body of an animal (i.e., a fish), there is no teaching or suggestion of the claimed feature that the "multipart design can be modified by exchanging at least one of the plurality of links with another, similar link that bears a different design of the exchanged link to thereby change the appearance of the multipart design of a person", as recited in claim 1. This feature permits a user to change the look of the person, or change the person depicted on the charm link set, e.g. to change hairstyle and color, head, clothing, and accessories. Nothing of the sort is taught or suggested by Strong or Przbyla. While the Examiner states that "to rearrange the components for various desired appearances from a kit providing these options would be obvious since this sort of option is old and well known in the jewelry art", this is actually not what Applicant is claiming. Rather, Applicant is claiming a jewelry link set depicting a person that can be modified by exchanging one or more links bearing a first image of the head, torso or leg portions, with one or more links

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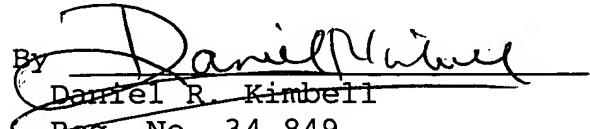
bearing a second image of the head, torso or leg portions, to depict a different person, or a differently outfitted person.

Referring back to the Przbyla reference, it discloses a combined watch chain and charm that comprises three parts of a fish design (head, body part, and tail part) that are slideably (but permanently) arranged on two chains. A user can separate the three parts by pulling them apart, and bring them back together to show the fish design. There is no provision in the Przbyla reference for exchanging one link with another link and indeed, the design of the Przbyla reference would preclude this since the three links are captured on the two chains.

Moreover, with respect to newly added claims 14 and 15, the interconnectable detachably attachable links that form the multipart design are recited as having the same shape and size as each other and the other links that do not form part of the multipart design.

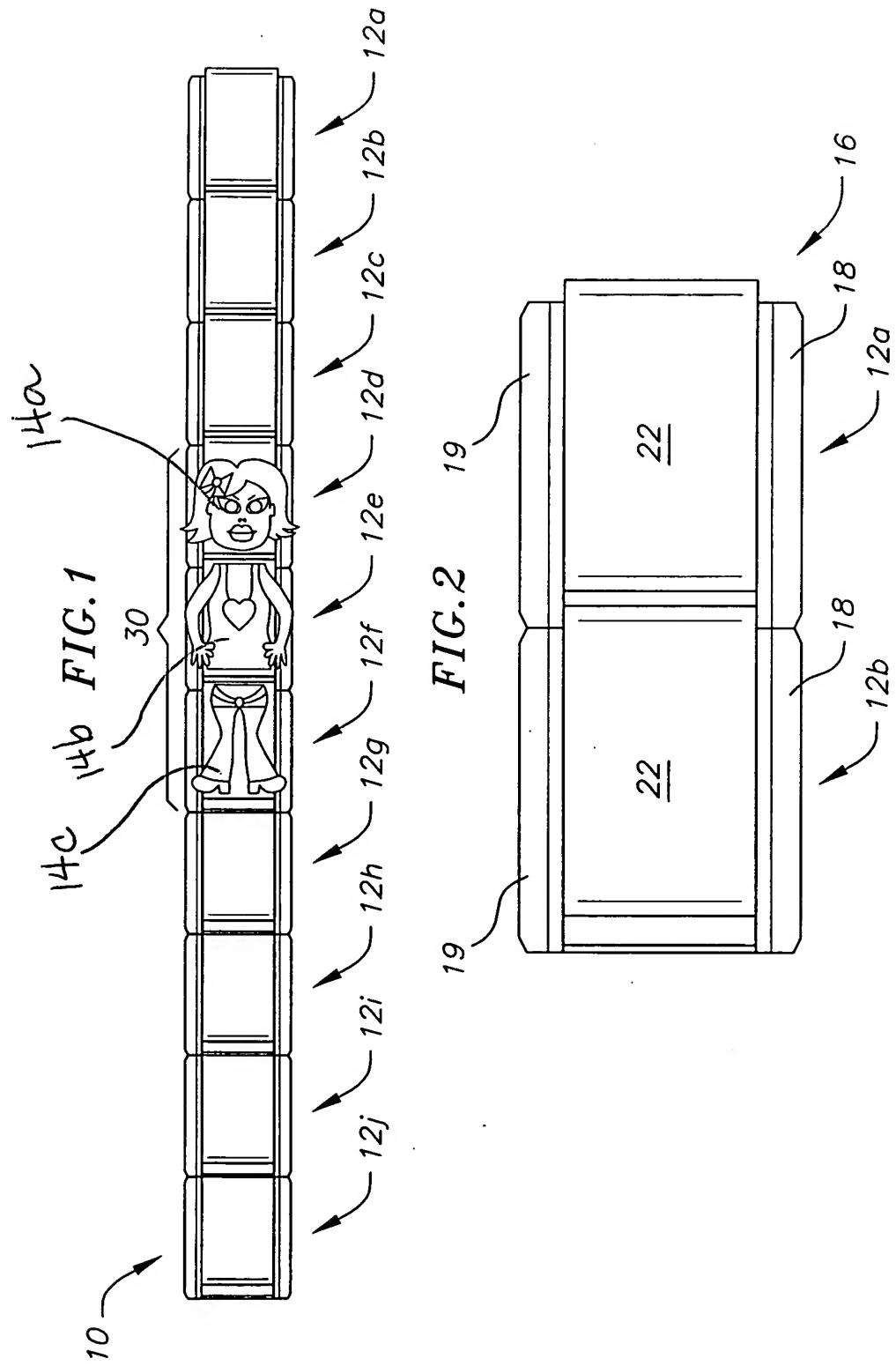
Accordingly, Applicant respectfully submits that the amended set of claims recites patentable subject matter, and prompt allowance is solicited. However, if the Examiner has any remaining question or has alternative suggestions, the undersigned would welcome a telephone call to discuss same.

Respectfully submitted,
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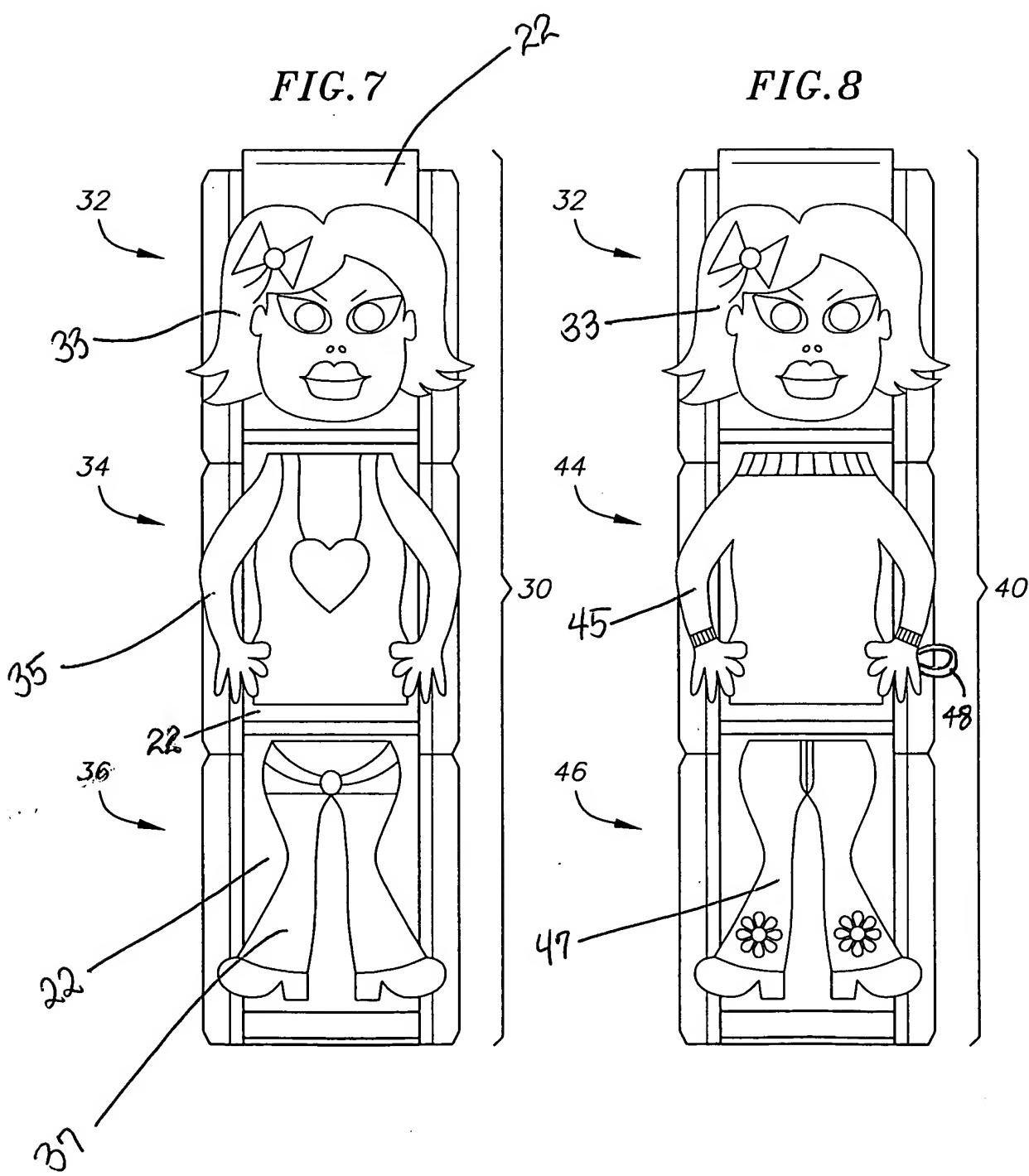


FIG. 9

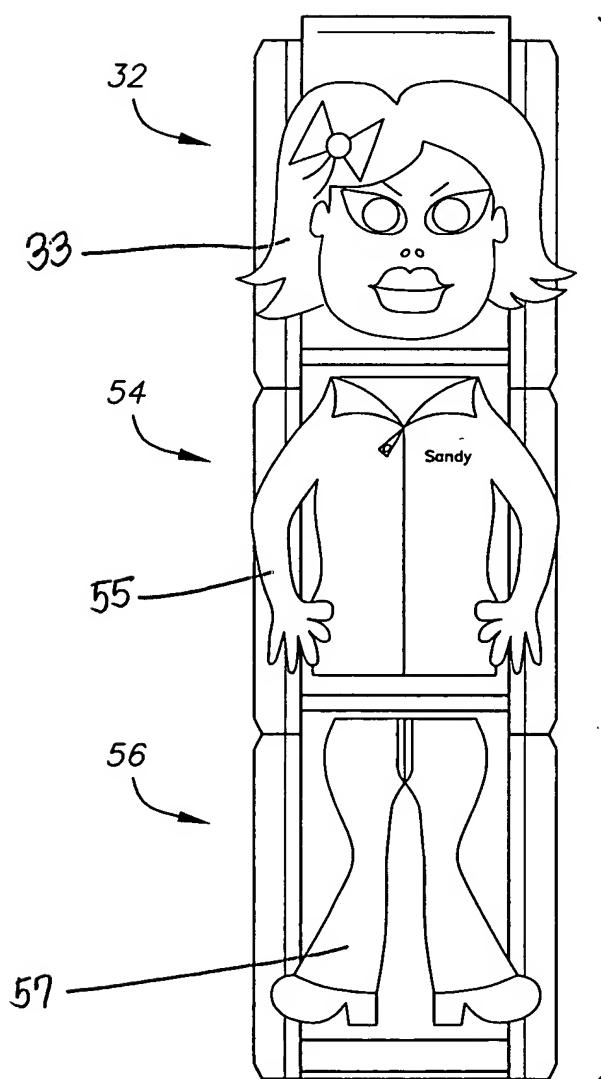


FIG. 10

